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Name:  FAX Number:	Firm: U.S. Patent and Trademark Office  Telephone Number:
<b>FROM</b>	
Name:  FAX Number:	Date Sent: April 14, 2004  Telephone Number: (650) 849-7740  Number of Pages: 5 <small>(including cover page)</small>

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**OFFICIAL**

<b>COMMENTS</b>	
Re:	U.S. Patent Application Serial No. 09/644,937 Application of: Nicholls Filed: August 23, 2000 Title: METHOD FOR DETERMINING A SHAPE SPACE FOR A SET OF MOLECULES USING MINIMAL METRIC DISTANCES (as amended) Confirmation No.: 1945 Art Unit: 1631 Attorney Docket No. 61191-0003 (formerly 9476-003-999)

**OFFICIAL FILING**

Transmitted herewith for filing:

1. Transmittal of Power of Attorney by Assignee;
2. Executed Power of Attorney by Assignee; and
3. Certificate of Limited Recognition.

**PLEASE ACKNOWLEDGE RECEIPT OF FACSIMILE**

**CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this paper is being filed with the United States Patent and Trademark Office by facsimile transmission on April 14, 2004 to facsimile telephone number 703-872-9306.

*Richard G. A. Bone*

Richard G. A. Bone

April 14, 2004

Date

By Facsimile (703) 872-9306

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Nicholls	Confirmation No.:	1945
Application No.:	09/644,937	Art Unit:	1631
Filed:	August 23, 2000	Examiner:	Marschel, Ardin
For:	METHOD FOR DETERMINING A SHAPE SPACE FOR A SET OF MOLECULES USING MINIMAL METRIC DISTANCES (as amended)		
	Attorney Docket No.:	61191-0003 (formerly 94876-003-999)	

TRANSMITTAL OF POWER OF ATTORNEY BY ASSIGNEE

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Applicant's representative encloses herewith a Power of Attorney by Assignee for the above-noted patent application. Applicant's attorney requests that the Power of Attorney be accepted and made of record.

Future correspondence should be forwarded to:

Customer Number 24341

Please note our new docket number, listed above, for future correspondence.

No fee is believed owed with this submission. The Commissioner is authorized to charge any fees associated with this communication to our deposit account number 50-0310. A copy of this sheet is enclosed for such purpose.

Respectfully submitted,

Richard G. A. Bone  
 Limited Recognition Under 37 C.F.R. § 10.9(b)  
 (Copy of Certificate attached hereto)

for Francis E. Morris, Reg. No. 24,615  
 MORGAN, LEWIS & BOCKIUS LLP  
 3300 Hillview Ave.  
 Palo Alto, California 94304  
 (650) 493-4935

CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8(a)

I hereby certify that this paper is being filed with the United States Patent and Trademark Office by facsimile transmission on April 14, 2004 to facsimile telephone number 703-872-9306.

April 14, 2004

Date

FROM :OpenEye Scientific

FAX NO. :5054730833

Apr. 14 2003 01:50PM P1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application of:	Nicholls	Confirmation No.:	1945	APR 14 2004
Application No.:	09/644,937	Art Unit:	1631	
Filed:	August 23, 2000	Examiner:	Markhol, Ardin	
For:	METHOD FOR DETERMINING A SHAPE SPACE FOR A SET OF MOLECULES USING MINIMAL METRIC DISTANCES (as amended)	Attorney Docket No.:	61191-0003 (formerly 9476-003-999)	

**POWER OF ATTORNEY BY ASSIGNEE  
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71  
WITH STATEMENT UNDER 37 C.F.R. 3.73(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned assignee of the entire interest in the above-identified patent application hereby appoints the registered attorneys of Morgan, Lewis & Bockius LLP, customer no. 24341, to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71, provided that, if any one of these attorneys ceases being affiliated with the law firm of Morgan, Lewis & Bockius LLP as partner, counsel, or employee, then the appointment of that attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

Please direct all correspondence for this patent to customer no. 24341.

I am the:

- Applicant/Inventor  
 Assignee of record of the entire interest. See 37 CFR 3.71.  
*(Statement under 37 CFR 3.73(b) is applicable)*

**Statement Under 37 C.F.R. 3.73(b)**

OpenEye Scientific Software, Inc. states that it is:

- the assignee of the entire right, title, and interest; or  
 an assignee of less than the entire right, title and interest.  
 The extent (by percentage) of its ownership interest is %

in the patent identified above by virtue of either:

- An assignment from the inventor(s) of the parent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office on November 16, 2000 at Reel 011300, Frame 0595, or for which a copy thereof is attached.

OR

- A chain of title from the inventor(s), of the patent identified above, to the current assignee as shown below:

1. From: To:  
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- 1 -

I-PA: 503505.1

PAGE 1/2 \* RCVD AT 4/13/2004 1:30:46 PM [Pacific Daylight Time] \* SVR:CAFA01 \* DNIS:1 \* CSID:5054730833 \* DURATION (mm:ss):00:56

PAGE 3/5 \* RCVD AT 4/14/2004 7:36:36 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/1 \* DNIS:8729306 \* CSID:650 493 5556 \* DURATION (mm:ss):01:38

FROM :OpenEye Scientific

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Apr. 14 2003 01:51PM P2

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## 3. From: To:

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at Reel, Frame.

 Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments of other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date:

March 15<sup>th</sup> 2004

ASSIGNEE:

OpenEye Scientific Software Inc.

Signature:



Typed Name:

Anthony Nicholla

Position/Title:

CEO and President

Address:

3600 Corrillo Road, Suite 1107  
Santa Fe, NM 87507

**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

**LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)**

Dr. Richard G. A. Bone is hereby given limited recognition under 37 CFR §10.9(b) as an employee of Morgan, Lewis & Bockius LLP to prepare and prosecute patent applications wherein the patent applicant is the client of Morgan, Lewis & Bockius LLP, and the attorney or agent of record in the applications is a registered practitioner who is a member of Morgan, Lewis & Bockius LLP. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Dr. Richard G. A. Bone ceases to lawfully reside in the United States, (ii) Dr. Richard G. A. Bone's employment with Morgan, Lewis & Bockius LLP ceases or is terminated, or (iii) Dr. Richard G. A. Bone's current Employment Authorization card expires.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: November 11, 2004



\_\_\_\_\_  
Harry I. Moatz  
Director of Enrollment and Discipline